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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 MALOISH WILSON,

11 Plaintiff,

12 v.

13 ELDON VAIL,

14 Defendant.

Case No. C08-5648RBL-KLS

ORDER DISMISSING  
COMPLAINT

15 The Court, having reviewed the Report and Recommendation of United States Magistrate Judge  
16 Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does  
17 hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation;  
19 (2) Plaintiff's complaint is DISMISSED without prejudice;  
20 (3) The Clerk is directed to terminate this action pursuant to Local Rule CR 41; and  
21 (4) The Clerk is directed to send copies of this Order to plaintiff and the Honorable Karen L.  
22 Strombom.

23 DATED this 23<sup>rd</sup> day of February, 2009.

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25 RONALD B. LEIGHTON  
26 UNITED STATES DISTRICT JUDGE  
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